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FEB 19 2003  
MARY E. DIANDREA, CLERK  
Per \_\_\_\_\_  
Deputy Clerk

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

DIAMOND TRIUMPH AUTO GLASS, INC., :

: Plaintiff : NO. 3:CV-02-0514  
vs. : (James M. Munley) ✓

SAFELITE GLASS CORPORATION, :

: Defendant. :

AFFIDAVIT OF ROBERT L. PERSCHY

STATE OF CONNECTICUT :

COUNTY OF Hartford : SS: Hartford

Before me, the undersigned notary public, this day personally appeared Robert L. Perschy, to me known, who being duly sworn according to law, deposes and says as follows:

I, Robert L. Perschy, am the Glass Claims Manager of Hartford Fire Insurance Company ("Hartford").

1. Plaintiff Diamond Triumph Auto Glass, Inc. has served a First Request for Production of Documents ("Request") upon defendant Safelite Glass Corporation that requests, *inter alia*, documents that contain proprietary and confidential information of Hartford.

2. Specifically, the Request seeks documents that contain:
- a. The Hartford-Safelite agreement and documents used or made during negotiations of that agreement. (Request, ¶¶ 4, 5, 9, 35, 36);
  - b. Transcripts of all first notice of loss calls with Hartford insureds. (Request, ¶¶ 1, 5, 36);
  - c. The script Safelite uses for the Hartford glass program when taking first notice of loss calls. (Request, ¶¶ 5, 14);
  - d. Policy and procedure manuals governing Safelite's call center activities performed. (Request, ¶¶ 11-15);
  - e. Detailed information regarding Hartford pro forma letters and other correspondence. (Request, ¶¶ 11-15);
  - f. Detailed information about Hartford insureds' glass claims and any database information about insureds that Hartford shares with Safelite. (Request, ¶¶ 2, 18, 23, 24);

g. Details about the number of Hartford glass claims for which the work is performed by Safelite, network affiliates, and other glass shops. (Request, ¶¶ 17, 23);

h. Hartford's claims pricing for jobs performed by Safelite, network affiliates, and other glass shops. (Request, ¶¶ 4, 6, 27, 42);

i. Details about Hartford's reasonable and customary pricing and other documents used to determine what that reasonable and customary pricing should be. (Request, ¶¶ 4, 6, 27, 42);

j. Details about payments and/or reimbursements made by Hartford to Safelite, network affiliates, and other glass shops. (Request, ¶¶ 4, 6, 27, 42);

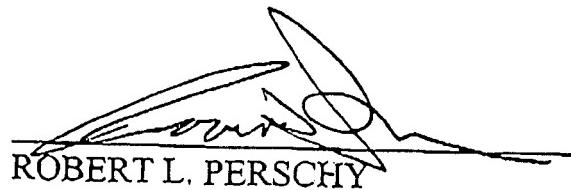
k. Any audits or quarterly reports about Hartford's glass claims. (Request, ¶¶ 17, 27, 38).

3. If such documents containing proprietary and confidential information of Hartford were produced as requested in the Request, without appropriate safeguards, Hartford would suffer irreparable harm as a result of disclosure of proprietary and confidential information.

4. In addition the Request seeks documents that, which if produced, would infringe on the privacy rights of Hartford's insured.

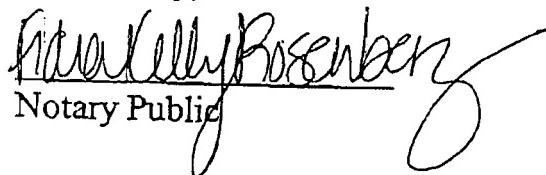
5. Hartford wishes to intervene in the above-captioned litigation for the purpose of seeking a protective order pursuant to Fed. R.Civ. P. 26(c) in order to protect its proprietary and confidential information, as well as its insureds' privacy rights.

6. Hartford became aware of the Request on November 5, 2002, and immediately began to investigate ways to avoid the dissemination of its proprietary and confidential information, including engaging counsel to file a motion to intervene in the litigation.



ROBERT L. PERSCHY

Sworn to and subscribed  
before me this 19<sup>th</sup> day  
of February, 2003.



Fiona Kelly Rosenberg  
Notary Public

My Commission Expires:

FIONA KELLY ROSENBERG  
NOTARY PUBLIC  
MY COMMISSION EXPIRES MAY 31, 2004

**CERTIFICATE OF SERVICE**

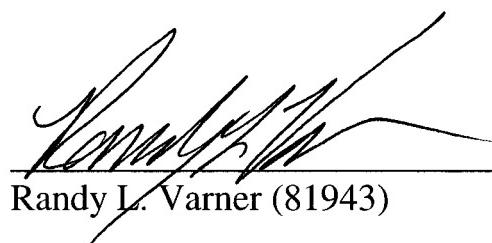
I hereby certify that on February 19, 2003, I served a copy of the foregoing document upon counsel and parties of record by United States First Class Mail, postage prepared, addressed as follows:

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